

Hon. Reginald C. Lindsay  
United States District Judge  
District of Massachusetts  
1 Courthouse Way  
Boston, MA. 02210

ATTN: Clerk of the Court

RE: Jack C. Chilingirian v. David L. Winn  
Civil File No. 05-cv-10005-RCL

Dear Madam/Sir:

I am writing this letter in connection with the above captioned case.

The above entitled Petition for Writ of Habeas Corpus was commenced over 14 months ago. It sought relief in connection with the calculation of good time credits by the Warden at the Federal Medical Center-Camp Devens in Ayer, MA. where I remain incarcerated.

An Order of Dismissal was entered on October 6, 2005 based on my being released on Bail Pending Resentencing pursuant to a Grant of Certiorari by the Supreme Court and remand to the District Court in Detroit, Michigan by the Sixth Circuit Court of Appeals.

The original sentence was re-imposed and I self-surrendered to the BOP at Camp Devens on October 17, 2005. I filed a Motion to Set Aside the Order of Dismissal on October 18, 2005. The Respondent filed its Reply on November 8, 2005. On November 17, 2005, I submitted my Response and have been awaiting disposition of my Motion since that date.

My present release date to half-way house is June 1, 2006. Over four months have passed without the Motion being decided one way or the other.

I am entitled to a substantive decision on the merits of my §2241 Petition. Can you please ascertain from the Court when the pending Motion can be decided and when the §2241 Petition will be addressed. Without any action being taken my case will become moot and my challenge to the good time credit calculation by the Warden will be lost.

Thank you for your courtesy in this matter.

Sincerely,  
  
JACK C. CHILINGIRIAN  
22512-039 UNIT I (CAMP)  
FEDERAL MEDICAL CENTER DEVENS  
P.O. BOX 879  
AYER, MA. 01432

cc: Jennifer C. Boal, AUSA  
Clerk of the Court/District of Massachusetts